IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE FOURTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4651 of 2005

Between:

Gude Hari Babu, S/o.Venkatapapaiah,
R/o.Kothapalem Village, Macavaram Mandal, Guntur District.

..... PETITIONER

AND

1 District Level Committee (Sand), Guntur District, rep.by its Chairman, i.e.Chairman, Zilla Parishad, Guntur.
2 The District Collector, Guntur District, Guntur.
3 The District Panchayat officer, Guntur and Member Convenor District Level Committee Sand, Guntur.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue order or orders or direction or writ more particularly one in the nature of writ of mandamus declaring the action of the respondents in not restoring the proceedings of the 2nd respondent Roc.No.3660/2003-G2(R-13) dt.22-9-2004 and continuing the petitioner leasehold rights till the completion of 95 days as illegal and arbitrary and consequentially direct the respondents to continue the petitioners lease hold rights as per the orders dt.22-9-2004 of 3rd respondent and to pass such other order or orders.

Counsel for the Petitioner: MR.M.L.ALI

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the admission stage made the following :

O R D E R:

This writ petition is filed seeking a Mandamus to declare action of the respondents in not restoring the proceedings of the second respondent dated 22-09-2004 and not continuing the leasehold rights of the petitioner in respect of Reach No.13 near Amaravathi and Dharani Kota Villages till the completion of 95 days as illegal and arbitrary.

The learned Government Pleader for Panchayat Raj, under instructions, states that in view of the report of the Ground Water Department, Reach No.13 has not been notified for grant of fresh lease. So far as the request of the petitioner for extension of the lease, the learned Government Pleader states that the District Level Committee is likely to pass orders shortly on the application made by the petitioner seeking extension.

Recording the statement of the learned Government Pleader, the Writ Petition is disposed of. No costs.

Needless to mention that if the petitioner is aggrieved by the decision that may be taken by the District Level Committee, it is open to him to challenge the same.

(G. ROHINI, J)

Date:14-03-2005

ghn

To

1 The Chairman, i.e.Chairman, Zilla Parishad, Guntur, District Level Committee (Sand), Guntur District.
2 The District Collector, Guntur District, Guntur.
3 The District Panchayat officer, Guntur and Member Convenor District Level Committee Sand, Guntur.

4 Two CCs to the Government Pleader for Revenue, High Court of A.P., Hyderabad. (O.U.T.)

5 Two CD copies.